

§ 131.005. State Funds

(a) The comptroller shall determine the amount of state funds held by a county depository that suspends business or is taken charge of by a state or federal bank regulatory agency. The comptroller may:

(1) contract with a special depository selected by the county authorities as provided by this subchapter for the custody and payment of those funds; and

(2) approve a bond for the deposit contract.

(b) State funds placed in a special depository as provided by Subsection (a) shall bear the average rate of interest received by the state on state funds placed with regularly selected state depositories.

(c) The comptroller may proceed with available legal remedies against a suspended bank that is a depository for state funds if the comptroller considers that action to be in the best interest of the public.

Added by Acts 1993, 73rd Leg., ch. 268, § 35, eff. Sept. 1, 1993. Amended by Acts 1999, 76th Leg., ch. 344, § 5.012, eff. Sept. 1, 1999.

[Sections 131.006 to 131.900 reserved for expansion]

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS**§ 131.901. Out-of-State Depository Prohibited**

(a) The governing body of a political subdivision, including a county, municipality, school district, or other district, may not designate a financial institution located outside the state as a depository for funds under the governing body's jurisdiction. An out-of-state financial institution is not considered to be located outside this state to the extent the governing body designates a branch office of such institution that is located in this state.

(b) An institution selected as a paying agent or trustee for specific bonds or obligations or an institution selected by the governing body to provide safe-keeping services is not considered a depository for purposes of this section.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, § 3, eff. Sept. 1, 1993; Acts 1999, 76th Leg., ch. 344, § 5.012, eff. Sept. 1, 1999.

§ 131.902. Pursuit of Legal Remedies Against Suspended Bank

A county, municipality, or district authority may proceed with available legal remedies against a suspended bank that is a depository for public funds of

the authority if the authority considers that action to be in the best interest of the public.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

§ 131.903. Conflict of Interest

(a) A bank is not disqualified from serving as a depository for funds of a political subdivision if:

(1) an officer or employee of the political subdivision who does not have the duty to select the political subdivision's depository is an officer, director, or shareholder of the bank; or

(2) one or more officers or employees of the political subdivision who have the duty to select the political subdivision's depository are officers or directors of the bank or own or have a beneficial interest, individually or collectively, in 10 percent or less of the outstanding capital stock of the bank, if:

(A) a majority of the members of the board, commission, or other body of the political subdivision vote to select the bank as a depository; and

(B) the interested officer or employee does not vote or take part in the proceedings.

(b) This section may not be construed as changing or superseding a conflicting provision in the charter of a home-rule municipality.

Added by Acts 1993, 73rd Leg., ch. 268, § 36, eff. Sept. 1, 1993.

CHAPTER 132. PAYMENT OF FEES AND OTHER COSTS BY CREDIT CARD OR ELECTRONIC MEANS IN MUNICIPALITIES AND COUNTIES**Section**

132.001. Definitions.

132.002. Payment of Fees or Costs by Credit Card or Electronic Means.

132.003. Processing or Handling Fee.

132.004. Service Charge.

132.005. Encumbrance of Credit Cards: Fee.

132.006. Disposition of Fees and Charges.

Acts 1997, 75th Leg., ch. 143, § 4, eff. Sept. 1, 1997 amended the chapter heading

§ 132.001. Definitions

In this chapter:

(1) "Credit card" means a card, plate, or similar device used to make purchases on credit or to borrow money.